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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.6849 OF 2007

Kolhaplur Aagricultural Produce
Market Committee ..Petitioner

Versus

The Assistant Registrar,
Co-op. Societies & Ors. ..Respondents

Mr. M.P. Vashi with Mr. A.M. Kulkarni for the Petitioner
Mr. S.S. Patwardhan for the Respondent No.5.
Mr.V.P.Malvankar AGP for the Respondent Nos.1,3 & 4.

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 24th September,2007

P.C.:

. The petitioner by this petition prays that the respondent No.2 be directed to decide and pass final order in relation to the proposal of bifurcation of Petitioner Committee expeditiously in a time bound manner as this Court may deem fit and proper.

2. This Court in Writ Petition No.3078 of 2007 by order dated 3rd May, 2007 had directed the elections to the petitioner herein to be completed on or before 15th September, 2007. Special Leave Petition was preferred against the said order, which was dismissed by order dated 7th September, 2007.

3. Another petition came to be filed being Writ Petition No.5250 of 2007. By that petition the society which is the member of the present petitioner had contended that the government is proposing to bifurcate the society and in the light of that holding of elections will result in loss of revenue and expenditure incurred would be an empty exercise. We had noted that the election programme has already been announced and that as the nominations have been filed the petition as filed was dismissed. The order in this petition was also challenged by way of S.L.P. before the Supreme Court and that S.L.P. was dismissed.

4. By the present petition the petitioner has prayed as stated earlier that the respondent No.2 be directed to decide and pass final order in relation to the proposal of bifurcation. The elections which were scheduled to be held on 15th September, 2007 on account of failure by the petitioners herein to release the funds as also the Board, an application was made to this Court by the State Government. After hearing the parties and as the Board in the meantime had released the money we had extended the date for holding the elections to 4th October, 2007 considering the discussions therein.

5. Once this Court has directed the holding of

elections on 15th September, 2007and extended it to 4th October, 2007 it will not be proper for us to issue any direction as sought by the Petitioners herein. It will be open to the Respondent No.2 to proceed to dispose of the matter according to law bearing in mind the orders of this Court which orders have not been disturbed by the Supreme Court. With the above observations petition disposed of.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**